

CALFRESH REQUEST FOR POLICY INTERPRETATION**PI# 18-27**

INSTRUCTIONS: Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Retain a copy for your records and submit via email to CalFresh-PI@dss.ca.gov.

Please note: the policy interpretation provided is based on the unique set of facts presented and should not be assumed to apply in all scenarios.

1. RESPONSE NEEDED DUE TO: <input type="checkbox"/> Policy/Regulation Interpretation <input checked="" type="checkbox"/> QC <input type="checkbox"/> Other:	5. DATE OF REQUEST: 02/27/2018	NEED RESPONSE BY: 03/15/2018
2. REQUESTOR NAME:	6. COUNTY/ORGANIZATION: SANTA CLARA COUNTY	
3. PHONE NO.: EMAIL:	7. SUBJECT: DROP 3 (THIRD PARTY)	
4. REGULATION CITE(S): FNS SECTION 432 AND 442.2	8. REFERENCES: <i>(Include ACL/ACIN, court cases, etc. in references)</i> NOTE: All requests must have a regulation cite(s) and/or a reference(s). FNS 310 SECTION 432 AND 442.1	

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

A MOST CURRENT(2015) IEVS FTB TAX REPORT REFLECTS UN EARNED INTEREST OVER \$73,000 FROM SEVERAL BANK ACCOUNTS. THE ACCOUNTS ARE WITH TWO SEPERATE FINANCIAL INSTITUTIONS. QC VERIFIED ONE ACCOUNT WITH UNREALIZED GAIN. HOWEVER, THE OTHER ACCOUNTS WITH J.P MORGAN CHASE CORP CAN'T BE LOCATED BY THE FINANCIAL INSTITUTION PER HH'S STATEMENT. CAN A STATEMENT BE TAKEN FROM THE HH?. THE FINANCIAL INSTITUTION ALSO VERBALLY STATES TO THE REVIEWER THAT THEY ARE UNABLE TO VERIFY ACCOUNTS EVEN THOUGH A RELEASE OF INFORMATION WAS SIGNED BY THE HH. SHOULD THE CASE BE DROPPED CODE 3 (THIRD PARTY) REFUSAL TO COOPERATE OR COMPLETE THE CASE WITH LIKLEY CONCLUSION BASED ON THE COMPILED INFORMATION THE HH AND REVIEWER RECEIVED FROM THE FINANCIAL INSTITUTION.

10. REQUESTOR'S PROPOSED ANSWER:

PER FNS 310 442.3 STATES THAT THE REVIEWER CAN'T LIKELY CONCLUDE ON (IEVS) FOR BANK ACCOUNTS AND THEREFORE CASE NEEDS TO BE DROPPED

11. STATE POLICY RESPONSE (CFPB USE ONLY):

QC cannot accept the HH's statement as there is evidence that these bank accounts are interest bearing. Since J.P. Morgan Chase bank refused to release the required verification, QC should clarify with the financial institution why it couldn't be verified. Perhaps, the information can only be released to the HH? If so, can QC conduct a 3 way call to the financial institution? QC must document the attempts taken to clarify the issue. The case should be disposed as "incomplete", as the IEVS report cannot be used to likely conclude (FNS 310, SEC 442.3). Every element must be documented for all incomplete cases.

The case can only be sanction when the HH refuses to cooperate.

FOR CDSS USE

DATE RECEIVED:

DATE RESPONDED TO COUNTY/ALJ: